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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,696	12/19/2000	Robert Callaghan	00 P 7532 US 01	9143

7590 06/18/2007

Siemens Corporation
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EXAMINER	
PATEL, HARESH N	
ART UNIT	**PAPER NUMBER**
2154	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/742,696	CALLAGHAN ET AL.	
	Examiner	Art Unit	
	Haresh Patel	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 May 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☒ Claim(s) *1-6 and 17* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-20 are subject to examination.

Response to Arguments

2. Regarding the applicant's remarks dated 4/9/2007, please refer to the office action dated 4/19/2007 and 2/28/2007. The amended limitations are rejected in this office action. Further, additional grounds of rejection are provided to the claims.

Note: Regarding the applicant's usage of "wherein" and/or "whereby" in the claimed subject matter of the claims, the claim scope is not limited by claim language that suggests or makes optional but does not require steps to be performed, or by claim language that does not limit a claim to a particular structure. Please see Minton v. Nat 'l Ass 'n of Securities Dealers, Inc., 336 F.3d 1373, 1381, 67 USPQ2d 1614, 1620 (Fed. Cir. 2003)).

Claim Objections

3. Claims 1-6 and 17 are objected to because of the following informalities:

"adapted to" should be replaced with a gerund in order to make the limitation more positive for examination.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster et al., 6,446,127, 3Com Corporation (Hereinafter Schuster-3Com) in view of Bowman-Amuah, 2003/0058277, Accenture (Hereinafter Bowman-Amuah-Accenture), as per office action dated 2/28/2007.

6. Claims 5-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster-3Com in view of Bowman-Amuah-Accenture and Ben-Shachar et al., 6,209,018, Sun Microsystems, Inc (Hereinafter Ben-Shachar-Sun), as per office action dated 2/28/2007.

7. Referring to claims 17-20, refer to the rejections of the above-rejected similar limitations of the claims 1-16 for rejection and combination of references.

8. Claims 17, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster-3Com, Bowman-Amuah-Accenture and Ben-Shachar-Sun in view of "Official Notice".

9. Referring to claims 17,19 and 20, refer to the rejections of the rejected similar limitations of the claims 1-16 and 18 for rejection and combination of references. However, the references do not specifically mention about interfacing a packet network to a PBX in an existing private

network of a plurality of coupled telephony devices. "Official Notice" is taken that both the concept and advantages of providing these limitations is well known and expected in the art. For example, Dragininch et al., 6560,329, figure 2 and its related description containing usage of PBX discloses these limitations. Neuman, 6,594,255, figure 1 and its related description containing usage of PBX discloses these limitations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include these limitations with the teachings of Schuster-3Com, Bowman-Amuah-Accenture and Ben-Shachar-Sun in order to facilitate usage of interfacing a packet network to a PBX in an existing private network of a plurality of coupled telephony devices because the packet network would support handling packet data. The PBX of the cited arts, i.e., private branch exchange is used for private network of telephony devices and the well-known concept of PBX connected with existing private network would support physically interface with the packet network. The packet network and the PBX would support communicating messages to the coupled devices.

10. Claims 1, 6, 7 and 12, are rejected under 35 U.S.C. 103(a) as being unpatentable over Gudjonsson et. al. 6,564, 261 (Hereinafter Gudjonsson) in view of Draginich et. al. 6,560,329 (Hereafter Draginich) and Bowman-Amuah-Accenture.

11. As per claims 1, 6, 7 and 12, Gudjonsson teaches a system comprising, a method comprising, dispatcher adapted to receive and dispatch one or more messages for adding software features (e.g., additional features supported by load balancing service, device handlers, routing service, contact list service, figure 13), to one or more software subsystems (i.e., routing

service receiving user requests and dispatching to the registered device handlers to handle the requests, figure 13, col., 17, line 1 – col., 18, line 13),

a software dispatcher (i.e., routing service, figure 13) in a telephony internet server (e.g., figure 13), the software dispatcher configured to add software system application features (e.g., features supported by load balancing service, device handlers, routing service, contact list service, figure 13), associated with a private branch exchange and a packet network (e.g., features supported over the network, figure 13), and adapted to maintain a list of dispatcher clients (e.g., contact list, registered device handlers and users, load balancing service, figure 13), said list comprising a list of integers, subsystem provide a dispatcher with an identification of a message to be delivered (e.g., UserID, figure 18(a)) identifying which receivers are to receive particular messages, dispatcher identifies a destination (e.g., identifying of the users to receive the messages through the device handlers, col., 17, line 1 – col., 18, line 13),

the dispatcher identifying and distributing the messages by unique integer and node, wherein said software dispatcher maintains said list as a list of unique integers identifying which dispatcher clients indicated they are to receive particular messages and each of said messages is identified to said software dispatcher by a message number (e.g., user identification and mapping, unique per CID, figure 12(b), database (13) containing device handler identification related to a user node for load balancing, figure 13, col., 17, line 1 – col., 18, line 13),

a plurality of dispatcher clients (e.g., users through device handlers, col., 17, line 1 – col., 18, line 13) receivers adapted to identify to said software dispatcher particular messages for receiving, registered receivers (e.g., a device handler is installed that accepts text pages, looks up the receiver's mobile number and then sends all the relevant information to some standard paging

gateway, such as an SMS gateway. Alternatively, a device handler may enable phone calls, col., 17, line 1 – col., 18, line 13),

receivers registering to receive predetermined messages with said dispatcher (e.g., to dispatch text pages to the mobile cellular telecommunications network, a device handler is installed that accepts text pages, looks up the receiver's mobile number and then sends all the relevant information to some standard paging gateway, such as an SMS gateway. Alternatively, a device handler may enables phone calls, col., 17, line 1 – col., 18, line 13),

the message receivers / dispatcher clients including one or more software applications (e.g., device handlers and their applications, col., 15, line 13 – col., 16, line 43),

Gudjonsson teaches that the server dispatching the messages can be anywhere on the network (e.g., a device handler is a communication endpoints to which the routing service can dispatch invitations. Device handlers are specifically used to interface with other networks, col., 2, line 52 – col., 3, line 20).

However, Gudjonsson does not specifically mention about the server coupled between a packet network and a private branch exchange.

Draginich teaches telecommunication system (telecom system, figure 2), a private branch exchange (PBX, figure 2), a server coupled between a packet network and a private branch exchange (e.g., call server and routing controller coupled to the private branch exchange, figure 2), the server adapted to interface the private branch exchange to a packet network (e.g., call server and routing controller coupled to the private branch exchange, figure 2), the server including a software dispatcher (i.e., The call server generates call information from the information from the caller and/or the call arrival data. The routing controller receives agent

status data from the agent stations and the call information and selects an agent station from the call information and the agent status data. The routing controller causes the call server to direct the network to route the call to the selected agent station, abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Draginich with the teachings of Gudjonsson in order to facilitate dispatching of messages to the registered devices on the network using a PBX exchange. A server would provide message conversion between protocols used by the PBX and the devices on a private network.

Gudjonsson teaches dispatching of messages that use synchronous and asynchronous communication mechanism (e.g., Unified messaging systems allow users to provide essentially one address for a variety of communication options, typically including phone calls, voice mailbox, fax, and e-mails, col., 2, line 52 – col., 3, line 20).

However, Draginich and Gudjonsson do not specifically mention about the synchronous and asynchronous messages sent to the receiver.

Bowman-Amuah-Accenture well-known concept of dispatching messages to the message receivers / dispatcher clients synchronously and asynchronously (e.g., paragraphs 1240, 755, 1001, 1012, 1013).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Draginich and Gudjonsson with the teachings of Bowman-Amuah-Accenture in order to facilitate communication for the dispatcher to interact with the registered devices. The dispatcher can send the messages to the registered devices on the

network using a synchronous or asynchronous mechanism depending on the type of messages it received.

12. Claims 2-5, 8-11, 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gudjonsson, Bowman-Amuah-Accenture and Draginich in view of Elliott et. al. 6,335,927 (Hereinafter Elliott).

13. As per claims 2, and 8, Gudjonsson, Bowman-Amuah-Accenture and Draginich discloses the claimed limitations as rejected above. Gudjonsson, Bowman-Amuah-Accenture and Draginich do not specifically mention about the details of claims 2 and 8. Elliott teaches said software dispatcher is adapted to save asynchronous messages for later transmission in one or more logical message queues (e.g., Some examples of process to process software interfaces include function or subroutine calls, message queues, shared memory, direct memory access (DMA), and mailboxes, col., 58, line 1 – col., 59, line 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Gudjonsson, Bowman-Amuah-Accenture and Draginich with the teachings of Elliott in order to facilitate usage of the available resources efficiently. Dispatcher can put the asynchronous message in the message queue and the device handler can handle the message whenever it is ready to process it.

14. As per claims 3 and 9, Gudjonsson, Bowman-Amuah-Accenture, Draginich and Elliott discloses the claimed limitations as rejected above. Gudjonsson, Bowman-Amuah-Accenture and Draginich do not specifically mention about the details of claims 3 and 9. Elliott also teaches

messages are dispatched to identified ones of the plurality of dispatcher clients in order of registered dispatcher client priority (e.g., a priority routing technique to favor packets destined for specific network interfaces over packets destined for other network interfaces, col., 58, line 1 – col., 59, line 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Gudjonsson, Bowman-Amuah-Accenture and Draginich with the teachings of Elliott in order to facilitate dispatching messages in the order of their importance. The messages that need to be processed immediately can be delivered to the device handler before the messages that can be processed later.

15. As per claims 4-5 and 10-11, Gudjonsson, Bowman-Amuah-Accenture, Draginich and Elliott disclose the claimed limitations as rejected above. Gudjonsson, Bowman-Amuah-Accenture and Draginich do not specifically mention about the details of claims 4-5 and 10-11. Ellicott also discloses dispatching messages comprising dispatching messages as flexible message parameters comprising name, type, and value fields, and wherein only dispatcher clients identified to receive particular messages is aware of both content and destination of respective said particular messages (e.g.,, appendix, cols., 275-278), wherein the software dispatcher manages pool of message threads to balance said system workload and said value field comprises another flexible message parameter, wherein the step of maintaining further comprises managing a pool of message threads to balance said workload responsive to said pool (e.g., appendix, cols., 275-278).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Gudjonsson, Bowman-Amuah-Accenture and Draginich

with the teachings of Elliott in order to facilitate the dispatcher to include name, type and a linking parameter in the message structure that is sent to the device handlers. The device handlers would process the message according to the parameter values of the message.

16. Referring to claims 14-20, refer to the rejections of the rejected similar limitations of the above rejected claims for rejection and combination of references. Gudjonsson also discloses wherein said software dispatcher dynamically add features to telephony devices, teaches a system comprising, a method comprising, dispatcher adapted to receive and dispatch one or more messages for adding software features (e.g., additional features supported by load balancing service, device handlers, routing service, contact list service, figure 13), to one or more software subsystems (i.e., routing service receiving user requests and dispatching to the registered device handlers to handle the requests, figure 13, col., 17, line 1 – col., 18, line 13). Dragininch also discloses said PBX in a private network of a plurality of coupled telephony devices, interfacing a packet network to a PBX in an existing private network of a plurality of coupled telephony devices, figure 2 and its related description containing usage of PBX discloses these limitations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include these limitations with the teachings of Gudjonsson, Bowman-Amuah-Accenture, Draginich and Elliott in order to facilitate usage of interfacing a packet network to a PBX in an existing private network of a plurality of coupled telephony devices because the packet network would support handling packet data. The PBX of the cited arts, i.e., private branch exchange is used for private network of telephony devices and the well-known concept of PBX connected with existing private network would support physically interface with the packet

network. The packet network and the PBX would support communicating messages to the coupled devices.

Conclusion

17. The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and not relied upon is considered pertinent to applicant's disclosure.

Examiner has cited particular columns and line numbers and/or paragraphs and/or sections and/or page numbers in the reference(s) as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety, as potentially teaching, all or part of the claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

Haresh Patel

June 9, 2007